

REMARKS

This Amendment is in response to the Office Action that was mailed on April 30, 2010. Claims 7, 18, 19, 32, 37 and 38 were under consideration. All claims were rejected. With the present response, all claims are amended. For reasons that will be discussed in detail below, it is respectfully submitted that all claims are in condition for allowance.

Beginning on page 3 of the Office Action, the Examiner objected to claim 37 due to an error involving antecedent basis. With the present response, claim 37 has been amended such that "a distance" precedes "the distance" in the claim. Accordingly, it is respectfully submitted that the error has been corrected. Consideration of the noted amendments and withdrawal of the objection to claim 37 are respectfully solicited.

Beginning on page 3 of the Office Action, the Examiner rejected all claims under 35 U.S.C. §112. With the present response, these claims have been amended in order to provide a remedy for each issue noted by the Examiner in the Office Action. It is respectfully pointed out that Applicant has reorganized the independent claims so as to provide a more logical progression. Further, Applicant has added a recitation of "first and second determinations." One of these determinations is the missing step noted by the Examiner in the Office Action.

Further, Applicant agrees with the Examiner that some steps in the previous version of the independent claims were unconnected to the rest of the claim. Where it makes sense, Applicant omitted steps that seem to be out of place or to adversely impact the logical flow of the claim process functionality. It is respectfully submitted that the amendments submitted herewith bring the claims into compliance with all applicable standards under §112. Consideration of the amendments and withdrawal of the rejections under §112 are respectfully solicited.

Beginning on page 5 of the Office Action, the Examiner rejected claims 7 and 37 under 35 U.S.C. §101. With the present response, Applicant has amended the claims in order to place them within a category of patentable subject matter. Consideration of the amendments and withdrawal of the rejections under §101 are respectfully solicited.

Beginning on page 6 of the Office Action, the Examiner indicated that claims 7 and 37 would be allowable if re-written or amended to overcome the rejections under §112 and §101. It is respectfully submitted that the claims presented herewith are in compliance with the standards of §112 and §101. Consideration and allowance of the claims are respectfully solicited.

In summary, it is respectfully submitted that claims 7, 18, 19, 32, 37 and 38 are condition for allowance. Consideration and favorable action are respectfully solicited. The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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